

IN THE DISTRICT COURT FOR THE STATE OF ALASKA
THIRD JUDICIAL DISTRICT AT ANCHORAGE

JOYCE POTEET,)
)
Plaintiff,)
)
vs.)
)
TARGET CORPORATION,)
)
Defendant) Case No. 3AN-20- _____ CI
)

COMPLAINT

NOW COMES the Plaintiff, Joyce Poteet, by and through her undersigned attorneys, Crowson Law Group, and sues Defendant, Target Corporation alleging as follows:

1. Plaintiff Joyce Poteet, for all times mentioned herein, was a resident of Anchor Point, Alaska.
2. Defendant Target Corporation is a 56 billion dollar Corporation doing business in Anchorage, Alaska at 150 West 100th Avenue, Suite A, Anchorage, AK 99515.
3. At all times herein mentioned, Defendant was licensed and authorized to do business in Alaska.
4. At all times herein mentioned, upon information and belief Defendant was the occupier, owner and/or manager of the property and business at 150 West 100th

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Avenue, Suite A, Anchorage, AK 99515, where the subject accident giving rise to this action occurred.

5. The accident described below occurred inside the building located at 150 West 100th Avenue, Suite A, Anchorage, AK 99515 and, as a result, venue properly lies with this court.

6. Jurisdiction properly lies with this honorable Court.

7. That on or about December 3, 2019 the Defendant owned, operated, managed and/or maintained or had a duty to own, operate, manage and/or maintain, both individually and by and/or through its agents, servants and/or employees, a certain premise operated as a Target store located at 150 West 100th Avenue, Suite A, Anchorage, AK 99515.

8. At the aforesaid time and place, Plaintiff was lawfully on said premises.

9. At the aforesaid time and place, the Defendant, individually and/or by and through their agents, servants and/or employees operated the store and maintained their premises including the floor and walking surface of the store in such a manner where an area became unreasonably dangerous and where there existed a foreseeable injury hazard when they permitted a liquid substance to accumulate on the floor without providing warning to its customers and further Defendant created a trip hazard by placement of store merchandizing display mannequins that are configured on top of raised platforms with sharp edges and corners and not which are insufficiently visible to persons shopping,

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whose attention is being directed by the store's marketing displays, lighting and configuration, all of which could feasibly and reasonably been made safer.

10. At the aforesaid time and place, as the Plaintiff was in the store to shop, she was caused to step from a carpeted surface onto a hard surface and was then caused to slip on liquid that she did not see, and then trip and fell onto the sharp edge of the base of the mannequin display, striking her arm and body and sustaining severe and permanent injuries. Target employee witnesses remarked that someone should have cleaned up the water.

11. At the aforesaid time and place, the Defendant, individually and/or by and through their agents, servants and/or employees, had a duty to operate the store and maintain the premises, including said walking surface, in a reasonably safe condition for persons lawfully on said premises, to include the Plaintiff herein.

12. At the aforesaid time and place, the Defendant, by and through its agents, servants and/or employees, disregarded their duty to act as reasonably prudent retail store operators and failed to properly inspect, maintain, clean, the walking surface of their store, allowing and/or causing the floor to develop into an unreasonably slippery surface and presenting a dangerous condition which resulted in causing Plaintiff to slip/trip and fall and sustain injury.

13. At the aforesaid time and place, the Defendant, as the maintainer of the aforementioned premises, either individually or by and through its agents, servants and/or

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employees acted with less than reasonable care and was then and there guilty of one or more of the following careless and negligent acts and/or omissions:

- a. Improperly operated, managed, maintained and controlled its premises in failing to properly maintain the aforementioned walking surface on the premises;
- b. Failed to remedy liquid that was present on the walking surface of the store for an unreasonable length of time;
- c. Failed to warn the Plaintiff and other persons lawfully on said premises of the dangerous condition when Defendant knew or should have known in the exercise of ordinary care that said warning was necessary to prevent injury to the Plaintiff or others legally on the premises;
- d. Failed to make a reasonable inspection of its premises when it knew or in the exercise of ordinary care should have known that said inspection was necessary to prevent injury to the Plaintiff and others lawfully on the premises;
- e. Failed to perform walking surface maintenance in accordance with industry practices any and all written agreements and/or contracts such as to avoid hazards to develop;
- f. Was careless and negligent in the use, design and placement of the mannequin display base that presents an unreasonable and foreseeable risk of harm that could be feasibly avoided;

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g. Was otherwise careless and negligent in the operation of its store and premises.

14. As a direct and proximate result of one or more of the foregoing negligent acts or omissions of the Defendant, Plaintiff sustained severe and permanent injuries; both internally and externally, and was and will be hindered and prevented from attending to her usual duties and affairs of life, and has lost and will in the future lose value of that time as aforementioned.

15. As a direct and proximate result of the aforesaid careless and negligent acts the Plaintiff then and there suffered great pain and anguish, both in mind and body and will in the future continue to suffer. The Plaintiff further expended and will expend and become liable for large sums of money for medical care and services endeavoring to become healed and cured of said injuries.

WHEREFORE, Plaintiff prays judgment against Defendant as follows:

1. For general damages.
2. For all medical and incidental expenses according to proof.
3. For costs of suit herein incurred.
4. That this case be tried by jury.
5. For such other and further relief as the court may deem proper.

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Respectfully submitted on this the 8th day of September, 2020.

CROWSON LAW GROUP

By: /s/ Timothy Twomey

Timothy Twomey, ABA #0505033
Attorney for Plaintiff

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